



## CITY OF MORGAN HILL

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### PLANNING COMMISSION

**TUESDAY, MARCH 26, 2002**

**CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA**

#### COMMISSIONERS

CHAIR BARBARA SULLIVAN  
VICE-CHAIR PATRICIA MCMAHON  
COMMISSIONER GENO ACEVEDO  
COMMISSIONER ROBERT J. BENICH  
COMMISSIONER RALPH LYLE  
COMMISSIONER JOSEPH MUELLER  
COMMISSIONER CHARLES D. WESTON

### **REGULAR MEETING - 7:00 P.M.**

#### **\*\*\* A G E N D A \*\*\***

#### NOTICE TO THE PUBLIC

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes.*

#### **DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

**OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

**MINUTES:** February 26, 2002

1. **WORKSHOP TO DISCUSS SAFEWAY/TENNANT STATION EXPANSION DEVELOPMENT PLANS:** A request to amend the precise development plan for the Tennant Station Shopping Center to allow for the construction of a 54,799 sq. ft. office building, and a 14-pump fuel center. (APN 817-06-39 & 40)

**CONSENT CALENDAR:**

2. **ZONING AMENDMENT, ZA-01-18/SUBDIVISION, SD-01-04/DEVELOPMENT AGREEMENT, DA-01-02: MCLAUGHLIN-JONES :** A request for approval of a 9-lot subdivision of a 2.15-acre parcel located on the east side of McLaughlin Ave., north of Central Ave. in the R-2 3,500 zoning district. Also requested is the approval of a precise development plan (RPD zoning designation) and the approval of a project development agreement. A mitigated negative declaration is proposed. (APN's 726-24-002, 003, 005-007)

**Recommendation:** Adopt Resolution Nos. 01-69 (zoning amendment), 01-70 (subdivision) and 01-71 (development agreement) denying requests, with recommendation to forward the zoning amendment and development agreement request to the City Council for denial.

**OLD BUSINESS:**

3. **USE PERMIT AMENDMENT, UPA-98-07: MONTEREY-IRISH CONSTRUCTION:** A request for approval to amend Conditional Use Permit 98-035 to allow for the demolition of a 2,000 sf office within an existing office/warehouse building, and replace with a 3,124-sf office space. The subject site is located on the southeast corner of Monterey Road and Burnett Avenue. (APNs 726-42-004 & -006)

**Recommendation:** Continue to April 9 meeting.

4. **REVIEW OF REBUTTAL LETTERS AND FINAL SCORING OF THE MEASURE P APPLICATIONS FOR FY 2003-04 OPEN MARKET COMPETITION:**

**Recommendation:** Discussion.

**NEW BUSINESS:**

5. **ANNEXATION, ANX-02-01/ZONING AMENDMENT, ZA-02-01: COCHRANE-BORELLO I:** A request to annex approximately 14 acres located east of Peet Rd., south of Cochrane Rd. and prezone the parcel from County Agriculture to R-1/12,000, Single-Family Low. (APN 728-34-002)

**Recommendation:** Approve Mitigated Negative Declaration, and Adopt Resolution Nos. 02-23 (zoning amendment) and 02-24 (annexation), with recommendation to forward to City Council for approval.

6. **USE PERMIT, UP-02-01: CONDIT-LIVE WIRE:** A request for approval of a conditional use permit for a 40,786 sq. ft. Harley-Davidson dealership on a 2.43 acre parcel located on Condit Rd., south of E. Dunne Ave. and north of Tennant Ave. The proposed use is located in the PUD zoning district. (APN 817-13-027)

**Recommendation:** Adopt Resolution No. 02-25, approving request.

**OTHER BUSINESS:**

7. **SELECTION OF TWO COMMISSIONERS TO SERVE ON THE MEASURE P UPDATE COMMITTEE:**

**Recommendation:** Discussion/Appoint two members to serve on the Update Committee.

8. **APPOINTMENT OF SUBCOMMITTEE TO REVIEW RDCS STANDARDS AND CRITERIA:**

**Recommendation:**

- 1) Discussion/Appoint two or three members to serve on the Subcommittee to review and provide recommendations regarding changes to the RDCS standards and criteria;
- 2) Provide direction to Staff and the Subcommittee regarding changes which should be considered at this time; and
- 3) Direct Subcommittee to complete its work in time for Planning Commission to consider at a public hearing on May 14, 2002.

9. **POSSIBLE RESCHEDULING OF THE APRIL 9, 2002 MEETING:**

**Recommendation:** Discussion/Provide Staff with date, time and location of next meeting.

**TENTATIVE UPCOMING AGENDA ITEM FOR THE APRIL 9, 2002 MEETING:**

- **ZA-01-20: Tennant-Safeway**
- **ZA-00-05: Hale-Glenrock/Shea Homes**
- **MP-01-12: E. Dunne-First Community Housing Affordable Measure P Competition**
- **MMP-02-01: Nina Lane-Chen**
- **MMP-02-02: DeWitt-Marquez**
- **Multi-Family Vacancy Rate Report**

## **ANNOUNCEMENTS**

## **CITY COUNCIL REPORTS**

## **ADJOURNMENT**

### **SPEAKER CARD**

*IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.*

### **NOTICE**

#### **AMERICANS WITH DISABILITY ACT (ADA)**

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

### **NOTICE**

***NOTICE IS GIVEN** pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

### **NOTICE**

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*

*PLANNING COMMISSION AGENDA*

*MARCH 26, 2002*

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